

**STATEMENT UNDER 37 CFR § 3.73(b)**  
**ESTABLISHMENT OF ASSIGNEE**

Applicant : Clifton A. Alferness, et al.  
App. No. : 09/901,764  
Filed : July 10, 2001  
For : CONstriction DEVICE VIEWABLE UNDER X RAY FLUOROSCOPY  
Examiner : Jonathan M. Foreman  
Group Art Unit : 3736

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This document is being filed with a copy of a Power of Attorney signed by the Assignee. This Statement sets forth the chain of title of the above-identified application.

SPIRATION, INC., a Delaware Corporation, is the Assignee of the entire right, title, and interest of the above-referenced application by virtue of:

The Assignment from the inventor(s) to the Assignee recorded in the United States Patent and Trademark Office on July 10, 2001, at Reel 011994, and Frame 0552.


The undersigned is an agent of Customer Number 20995 and is authorized to act on behalf of the Assignee. Please recognize or change the correspondence address for the above-identified application to **Customer No. 20995.**

Respectfully submitted,  
KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: \_\_\_\_\_

10/2/2008

By: \_\_\_\_\_

  
Thomas Y. Yee  
Registration No. 57,013  
Attorney of Record  
Customer No. 20995  
(949) 760-0404

## ASSIGNMENT OF U.S. AND FOREIGN RIGHTS IN INVENTION

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One United States Dollar (\$1.00) or its equivalent, the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNOR Clifton A. Alferness, residing or having a principal place of business at 9010 - 258<sup>th</sup> Avenue Northeast, Redmond, Washington 98053, and a citizen or juristic entity of the United States,

ASSIGNOR Robert Barry, residing or having a principal place of business at 13608 88<sup>th</sup> Place N.E., Kirkland, Washington 98034, and a citizen or juristic entity of the United States,

ASSIGNOR Clint Finger, residing or having a principal place of business at 243 165<sup>th</sup> Avenue S.E., Bellevue, Washington 98008, and a citizen or juristic entity of the United States,

ASSIGNOR Hugo X. Gonzalez, residing or having a principal place of business at 23406 - 75<sup>th</sup> Avenue Southeast, Woodinville, Washington 98072, and a citizen or juristic entity of Ecuador,

hereby sell, assign, and transfer to:

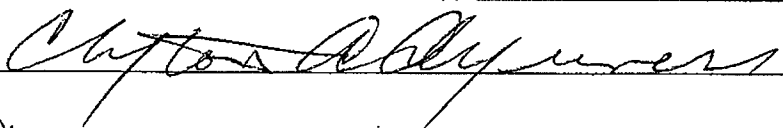
ASSIGNEE Spiration, Inc., residing or having a principal place of business at 18109 NE 76<sup>th</sup> St., Redmond, Washington 98052, and a citizen or juristic entity of the state of Washington, and the successors, assigns, and legal representatives of the ASSIGNEE, the entire right, title, and interest in the United States and in all foreign countries, including all rights to claim priority, in and to any and all improvements which are disclosed in the invention entitled CONSTRUCTION DEVICE VIEWABLE UNDER X RAY FLUOROSCOPY and which is found in United States patent application serial number \_\_\_\_\_, filed on \_\_\_\_\_ (if not present when this instrument is executed, applicant's attorney or agent is authorized to enter the application serial number and filing date upon receipt of the same from the United States Patent and Trademark Office), and in and to all Letters Patent to be obtained from said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to Letters Patent from any reissue or re-examination thereof.

ASSIGNORS hereby covenant that no assignment, sale, agreement, or encumbrance has been or will be made or entered into which would conflict with this assignment.

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts, documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference, litigation, or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue, and enforce said application, said invention, and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purpose thereof.

ASSIGNORS:

Name: Clifton A. Alferness

Signature: 

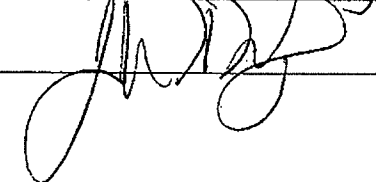
Title (if applicable): \_\_\_\_\_

EXECUTED ON, and effective from this 17 day of June, 2001  
at Redmond WA

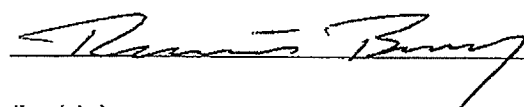
I hereby declare that I was personally present and did see the ASSIGNORS, who are personally known to me to be the persons named in the assignment, duly sign and execute the same on this 12 day of June, 2001 of their own free will for the purpose therein expressed at the following location: \_\_\_\_\_

WITNESS

Name: John H. Wang

Signature: 

Name: Robert Barry

Signature: 

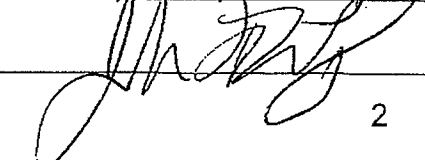
Title (if applicable): \_\_\_\_\_

EXECUTED ON, and effective from this 18 day of JUNE, 2001  
at Redmond, wa

I hereby declare that I was personally present and did see the ASSIGNORS, who are personally known to me to be the persons named in the assignment, duly sign and execute the same on this 18 day of June, 2001 of their own free will for the purpose therein expressed at the following location: \_\_\_\_\_

WITNESS

Name: John H. Wang

Signature: 

Name: Clint Finger

Signature: \_\_\_\_\_

Title (if applicable): \_\_\_\_\_

EXECUTED ON, and effective from this 13 day of June, 2001  
at Redmond, WA

I hereby declare that I was personally present and did see the ASSIGNORS, who are personally known to me to be the persons named in the assignment, duly sign and execute the same on this 13 day of June, 2001 of their own free will for the purpose therein expressed at the following location: \_\_\_\_\_

Redmond, WA

WITNESS

Name: Brandon Sherman

Signature: \_\_\_\_\_

Name: Hugo X. Gonzalez

Signature: \_\_\_\_\_

Title (if applicable): M.D.

EXECUTED ON, and effective from this 12 day of June, 2001  
at Redmond, WA

I hereby declare that I was personally present and did see the ASSIGNORS, who are personally known to me to be the persons named in the assignment, duly sign and execute the same on this 18<sup>th</sup> day of June, 2001 of their own free will for the purpose therein expressed at the following location: \_\_\_\_\_

Redmond, WA

WITNESS

Name: Leslie Snyder

Signature: \_\_\_\_\_